



Attorney Docket No. 00038.04CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hale, *et al.*

SERIAL NO.: 10/792,096

FILED: MARCH 03, 2004

TITLE: DELIVERY OF RIZATRIPTAN OR
ZOLMITRIPTAN THROUGH AN
INHALATION ROUTE

EXAMINER: HAGHIGHATIAN,
M.

ART UNIT: 1616

CONFIRMATION NO.: 4083

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicant calls the Examiner's attention to the patents and publications listed on the attached Form PTO-1449, copies of required documents enclosed, which may be material to examination of the above identified application.

TIME OF TRANSMITTAL

This Information Disclosure Statement is being submitted under 37 CFR § 1.97(c). This Statement is filed after three months from the filing date of the national application, after three months from the date of entry into national stage under 37 CFR § 1.491, after the mailing of a first Office Action on the merits, or after the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR § 1.114, but before the mailing date of any of:

- (a) a final action under 37 CFR § 1.113;
- (b) a notice of allowance under 37 CFR § 1.311; or
- (c) an action that otherwise closes prosecution in the application.

This Statement is accompanied by a check for \$180 in accordance with 37 CFR §§1.97(c) and 1.17(p). The undersigned hereby authorizes the charging of any deficiency of fees submitted herewith to Deposit Account No. 19-5117.

08/29/2005 BABRAHA1 00000076 10792096

13 FC:1806

180.00 DP

37 CFR 1.8
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 8/24/05

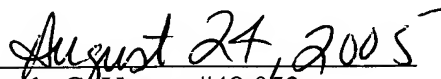
Signature:

Name: Tasha L. Pierce

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. This listed patents and publications are believed of interest herein and consideration and citation of as interest by Examiner is respectfully requested.

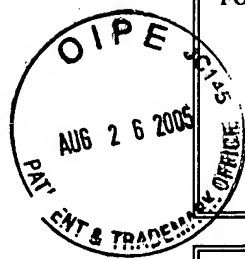
Respectfully submitted,

Date: August 24, 2005


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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE List of Information Cited by Applicant Page 1 of 3	ATTY. DOCKET NO. 00038.04CON	SERIAL NO. 10/792,096
	APPLICANT Hale, et al.	
	FILING DATE March 03, 2004	GROUP 1616

U.S. PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	NAME	CLS	SUB- CLS	FILE DATE
	AA	10/057,198	10/26/2001	Lloyd et al.			
	AB	10/146,088	05/13/2002	Hale et al.			
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	AR	GB 502 761	03/24/1939	Great Britain			
	AS	WO 94/09842	05/11/1994	WIPO			
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
	AU	Office Action mailed 12/04/03 for US App. No. 10/057,198 filed 10/26/01, "Method And Device For Delivering A Physiologically Active Compound"
	AV	Office Action mailed 01/12/05 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"
	AW	Office Action mailed 06/03/04 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"
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	AY	Office Action mailed 02/27/04 for US App. No. 10/146,080 filed 05/13/02, "Aerosol Forming Device For Use In Inhalation Therapy"
EXAMINER		DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and <u>not</u> considered. Include copy of this form with next communication to applicant.		

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	CC	5,767,117	06/16/1998	Moskowitz			
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	CZ	WO 01/05459	01/25/2001	WIPO			
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	CBB	WO 02/00198	01/03/2002	WIPO			
	CCC	WO 03/37412	05/08/2003	WIPO			
	CDD						
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